

9. 22-04

P 17143  
41/44

EXPRESS MAIL NO.: EV 462737975 US

**AMENDMENT, PETITION AND FEE  
TO CORRECT ORIGINALLY NAMED  
INVENTORS  
(37 C.F.R. §1.48(a))**

Address to:  
Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket	LIFE009
First Named Inventor	Victor Pan
Application Number	09/630,340
Confirmation No.	5593
Filing Date	July 31, 2000
Group Art Unit	1743
Examiner Name	Cross, Latoya
Title	Method and Apparatus for Detecting the Presence of a Fluid on a Test Strip

Sir:

This amendment and petition is to correct the incorrect original naming of inventor(s) in the declaration.

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SEP 27 2004

Addition of Inventor:

Robert Shartle should be added as an inventor.

**TC 1700**

The correct inventorship thus should be: Victor Pan, John Lemke, Harshad I. Patel, Philip Cizdziel, and Robert Shartle.

Attachments:

- (a) statements from the person being added as an inventor (Robert Shartle) that the error in inventorship occurred without deceptive intention on his or her part under 37 C.F.R. § 1.48(a)(1);
- (b) a new Declaration executed by each of the actual inventor(s) as required under 37 C.F.R. § 1.63 and 37 C.F.R. § 1.48(a)(2);
- (c) written consent of Assignees (LifeScan, Inc.) to change inventorship under 37 C.F.R. § 1.48(a)(4) and statement under 37 C.F.R. § 3.73(b); and
- (d) the fee set forth in 37 C.F.R. § 1.17(i) and required by 37 C.F.R. § 1.48(a)(3).

09/23/2004 HUWONG1 0000055 500815 09630340

01 FC:1460 130.00 DA

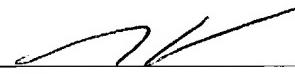
Atty Dkt. No.: LIFE-009  
USSN: 09/630,340

The Commissioner is hereby authorized to charge fees associated with the filing of this petition, and any additional fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order no. LIFE-009.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

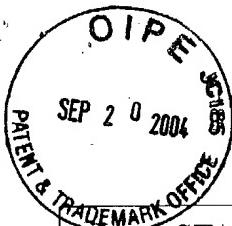
Date: 09/20/04

By:

  
Susan Tall  
Registration No. 52,272

BOZICEVIC, FIELD & FRANCIS LLP  
1900 University Avenue, Suite 200  
East Palo Alto, CA 94303  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231

F:\DOCUMENT\LIFE009\Petition to correct inventorship.doc



**STATEMENT UNDER  
37 C.F.R. §1.48(a)(1)  
BY PERSON BEING ADDED AS AN  
INVENTOR**

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Attorney Docket	LIFE009
First Named Inventor	Victor Pan
Application Number	09/630,340
Confirmation No.	5593
Filing Date	July 31, 2000
Group Art Unit	1743
Examiner Name	Cross, Latoya
Title	Method and Apparatus for Detecting the Presence of a Fluid on a Test Strip

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*SEP 27 2004*

*TC 1700*

**STATEMENT BY ROBERT SHARTLE  
UNDER 37 C.F.R. §1.48(a)(1) INVENTOR TO BE ADDED**

1. I, Robert Shartle, am a co-inventor of the invention set forth in the claims of the above-referenced application.
2. I was erroneously omitted as an inventor in the above-referenced application. The inventorship error occurred without any deceptive intention on my part, on the part of the originally named inventors or the assignee.
3. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 9/16/04

By:

A handwritten signature in black ink, appearing to read "Robert Shartle".



Please type a plus sign (+) inside this box →

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

14

Application Number

09/630,340

Filing Date

July 31, 2000

First Named Inventor

PAN, VICTOR

Group Art Unit

1743

Examiner Name

CROSS, LATOYA I.

Attorney Docket Number

LIFE-009

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SEP 27 2004  
TC 1700

### ENCLOSURES (check all that apply)



**Fee Transmittal Form\**

**In Duplicate**

Fee Attached



**Amendment / Reply**

After Final

Affidavits/declaration(s)



**Extension of Time Request**



**Express Abandonment Request**



**Information Disclosure Statement**



**Certified Copy of Priority Documents**



**Response to Missing Parts/ Incomplete Application**

Response to Missing Parts Under 37 CFR 1.52 or 1.53

Assignment Papers  
(for an Application)

Drawing(s)

Licensing-related Papers

Petition

Petition to Convert to a Provisional Application

Power of Attorney, Revocation Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s)

After Allowance Communication to Group

Other Enclosure(s) (please identify below):

1. Amendment , Petition and Fee to Correct Originally Named Inventor

2. Consent of Assignee to Change of Inventorship (1 pg.)

3. Statement Under 37 CFR by person being added as an Inventor (1 pg.)

4. Executed Declaration (7 pgs.)

5. Copy of Notice of Recordation dated 11/07/2000 (8 pgs.)

6. Notice of Recordation of Assignment filed 09/20/2004 for Robert Shartle (5 pgs.)

7. Postcard

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent  
(Reg. No.)

**SUSAN C. TALL, 52.272  
BOZICEVIC, FIELD & FRANCIS, LLP**

Signature

Date

**September 20, 2004**

**EXPRESS MAIL LABEL NO. EV 462737975 US**

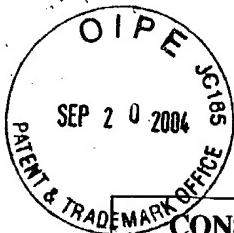
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

LFS-076

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])	PHILIP	Family Name or Surname	CIZDZIEL
Inventor's Signature	Date		
Residence: City San Jose	State CA	Country USA	Citizenship USA
Mailing Address 2054 Stonewood Lane, San Jose, CA 95132			
City San Jose	State CA	ZIP 95132	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF FIFTH INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])	ROBERT	Family Name or Surname	SHARTLE
Inventor's Signature	Date 9/6/04		
Residence: City Arnold	State CA	Country USA	Citizenship USA
Mailing Address 2044 Mitchell Drive			
City Arnold	State CA	ZIP 95223	Country USA



<b>CONSENT OF ASSIGNEE TO CHANGE OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)(4) AND STATEMENT UNDER 37 C.F.R. § 3.73(b)</b>		<b>RECEIVED</b>		
Address to: Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		Attorney Docket	LIFE009	
		First Named Inventor	Victor Pan	SEP 27 2004
		Application Number	09/630,340	
		Filing Date	July 31, 2000	TC 1700
		Group Art Unit	1743	
		Examiner Name	Cross, Latoya	
		Title	Method and Apparatus for Detecting the Presence of a Fluid on a Test Strip	

Sir:

1. LifeScan, Inc. is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the original inventors to LifeScan, Inc., attached hereto and recorded November 7 2000, reel/frame 011305/0577, and by virtue of an assignment from the person being added as an inventor, Robert Shartle, to LifeScan, Inc., and attached hereto.
2. LifeScan, Inc. hereby agrees to the change of inventorship in the above-referenced application to add Robert Shartle as an inventor as requested in the accompanying petition.

I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee with which my name is associated.

Date: 9/17/04


Mayumi Maeda, Esq.  
Assistant Secretary  
LifeScan, Inc.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APRIL 03, 2001

BOZICEVIC, FIELD & FRANCIS LLP  
BRET E. FIELD  
200 MIDDLEFIELD ROAD  
SUITE 200  
MENLO PARK, CA 94025

PTAS RECEIVED

SEP 27 2004



\*101627848A\*

TC 1700

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

CORRECTED  
NOTICE

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

DW  
PK

RECORDATION DATE: 11/07/2000

REEL/FRAME: 011305/0577  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:  
 PAN, VICTOR

DOC DATE: 10/26/2000

ASSIGNEE:  
 LEMKE, JOHN

DOC DATE: 10/26/2000

ASSIGNEE:  
 PATEL, HARSHAD I.

DOC DATE: 10/26/2000

ASSIGNEE:  
 CIZDZIEL, PHILIP

DOC DATE: 10/26/2000

ASSIGNEE:  
 LIFESCAN, INC.  
100 GIBRALTOR DRIVE, MAIL STOP 3D  
MILPITAS, CALIFORNIA 95035

SERIAL NUMBER: 09630340 ✓  
PATENT NUMBER:

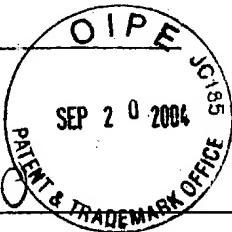
FILING DATE: 07/31/2000  
ISSUE DATE:

PLJ/11  
DOCKETED

011305/0577 PAGE 2

DOROTHY BASMA, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Form PTO-1595 (Modified)

MR  
107-0

04-02-2001



101627848

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

SET

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Victor Pan, John Lemke, Harshad I. Patel and  
Philip CizdzielAdditional name(s) of conveying party(ies) attached? Yes  No 

## 3. Nature of conveyance:

Assignment       Merger  
 Security Agreement       Change of Name  
 Other:

Execution Date: October 26, 2000

## 4. Application numbers(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

## A. Patent Application No.(s)

09/630,340

## B. Patent No.(s)

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Bret E. Field  
 Street Address: BOZICEVIC, FIELD, & FRANCIS LLP  
 200 Middlefield Road, Suite 200  
 Menlo Park, CA 94025

Telephone: (650) 327-3400  
 Facsimile: (650) 327-3231

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

 Enclosed Authorized to be charged to deposit account

## 8. Deposit Account No. 50-0815

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0815 with regards to this correspondence.

12/07/2000 DEYRNE 00000177 500815 09630340

DO NOT USE THIS SPACE

01 FC:581

40.00 CH

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Bret E. Field

Name of Person Signing

Signature

Date

11/21/00

Total number of pages comprising cover sheet 6

DOCKET NO. LFS-76/LIFE-009  
Joint Inventors

A S S I G N M E N T

Serial No. 09/630,340  
Filed July 31, 2000

WHEREAS, Victor Pan, John Lemke, Harshad I. Patel, and Philip Cizdziel, residing at 1101 Quema Drive, Fremont, CA 94539; 7833 Flagstone Drive, Pleasanton, CA 94588; 45102 Cougar Circle, Fremont, CA 94539; and 2054 Stonewood Lane, San Jose, CA 95132 (hereinafter called "Assignors"), have made certain new and useful inventions or discoveries relating to

METHOD AND APPARATUS FOR DETECTING THE  
PRESENCE OF A FLUID ON A TEST STRIP

for which they have executed an application for Letters Patent of the United States; and

WHEREAS, LifeScan, Inc., a corporation of the State of California, (hereinafter called "Assignee"), is desirous of acquiring Assignors' entire right, title, and interest therein:

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to them moving, the receipt of which is hereby acknowledged, Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made;

And Assignors hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignors covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above

described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;

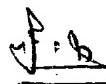
And for the consideration aforesaid, Assignors further covenant and agree that they will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, testify in any interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 26th day of October, 2000.

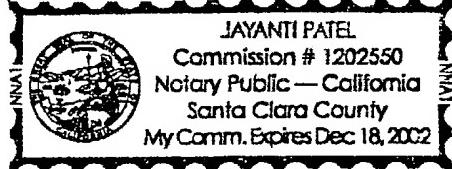
  
\_\_\_\_\_  
VICTOR PAN (L.S.)

STATE OF CALIFORNIA )  
                      )  
                      ) ss.  
COUNTY OF SANTA CLARA)

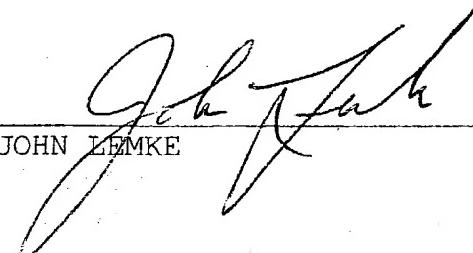
On October 26, 2000, before me, Jayanti Patel, a Notary Public, personally appeared VICTOR PAN, who is personally known to me or who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person executed the instrument.



\_\_\_\_\_  
Notary Public

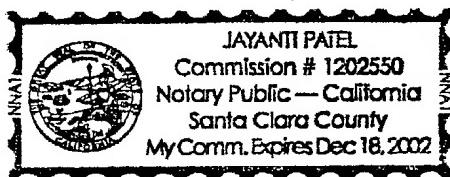


IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 26<sup>th</sup> day of October, 2000.

  
JOHN LEMKE (L.S.)

STATE OF CALIFORNIA )  
                      )  
                      ) ss.  
COUNTY OF SANTA CLARA)

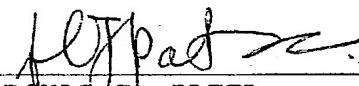
On October 26, 2000, before me, Jayanti Patel, a Notary Public, personally appeared John Lemke, who is personally known to me or who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person executed the instrument.



P, 6

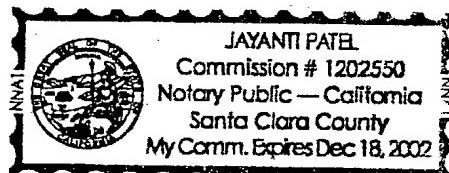
Notary Public

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 26 day of October, 2000.

  
HARSHAD I. PATEL (L.S.)

STATE OF CALIFORNIA )  
                      ) ss.  
COUNTY OF SANTA CLARA)

On October 26, 2000, before me, Jayanti Patel, a Notary Public, personally appeared Harshad I. Patel, who is personally known to me or who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person executed the instrument.





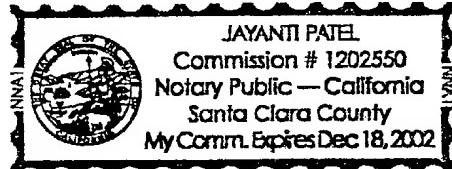
Notary Public

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 26 day of October, 2000.

Philip Cizdziel (L.S.)  
PHILIP CIZDZIEL

STATE OF CALIFORNIA )  
                     ) ss.  
COUNTY OF SANTA CLARA)

On October 26, 2000, before me, Jayanti Patel, a Notary Public, personally appeared Philip Cizdziel, who is personally known to me or who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person executed the instrument.



\_\_\_\_\_  
Notary Public



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SEP 27 2004  
TC 1700

COPY

Atty/Sec: SCT/mpc  
Atty Docket No. LIFE-009  
Application No.: 09/630,340  
Inventor(s): PAN, VICTOR  
Title: "METHOD AND APPARATUS FOR DETECTING THE  
PRESENCE OF A FLUID ON A TEST STRIP"  
Enclosure(s):

Date Mailed: September 20, 2004  
Filing Date: July 31, 2000

- ❖ Notice of Recordation of Assignment filed for Robert Shartle in Duplicate  
(2 pgs.)
- ❖ Executed Assignment (2 pgs.)
- ❖ Postcard

EXPRESS MAIL LABEL NO.EV 462737975 US  
Acknowledge Receipt of enclosures  
By imprinting PTO Date Stamp and  
Returning to addressee

LFS-076

RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Atty Docket No.: LIFE-009

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

ROBERT SHARTLE



Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

- Assignment  
 Security Agreement  
 Other \_\_\_\_\_

- Merger  
 Change of Name

Execution Date: 09/16/2004.

2. Name and address of receiving party(ies)

Name: **LIFESCAN, INC.**

Internal

Address: **100 Gibraltar Drive, Mail Stop 3D**  
Street Address:

City: **Milpitas** State: **CA** Zip: **95035**

RECEIVED  
SEP 21 2004  
TC 1700  
COPY

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_.

A. Patent Application No.(s)

**09/630,340 filed 07/31/2000**

B. Patent Registration No.(s)

Additional number(s) attached  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Bozicevic, Field & Francis, LLP**

Internal Address: **1900 University Avenue, Suite 200**

City: **East Palo Alto** State: **California** Zip: **94304**

6. Total number of applications and patents involved **1**

7. Total fee (37 CFR 3.41)..... **\$ 40.00**

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

**50-0815**

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Susan C. Tall, Reg# 52,272

09/20/2004

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **4**

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patent & Trademarks, Box Assignments

Washington, D.C. 20231

Copy

Form PTO-1595  
(Rev. 10/02)  
OMB No. 0651-0027 (exp.  
6/30/2005)

RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Atty Docket No.: LIFE-009

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

ROBERT SHARTLE



2. Name and address of receiving party(ies)

Name: LIFESCAN, INC.

Internal

Address: 100 Gibraltar Drive, Mail Stop 3D

Street Address:

City: Milpitas State: CA Zip: 95035

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

- Assignment  
 Security Agreement  
 Other \_\_\_\_\_

- Merger  
 Change of Name

Execution Date: 09/16/2004.

RECEIVED  
SEP 21 2004  
TC 1700

COPY

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_.

- A. Patent Application No.(s)

09/630,340 filed 07/31/2000

- B. Patent Registration No.(s)

Additional number(s) attached  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Bozicevic, Field & Francis, LLP

Internal Address: 1900 University Avenue, Suite 200

City: East Palo Alto State: California Zip: 94304

6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41)..... \$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

50-0815

(Attach duplicate copy of this page if paying by deposit account)

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Susan C. Tall, Reg# 52,272

09/20/2004

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

DOCKET NO. LFS-76  
Sole Inventor

A S S I G N M E N T

Serial No. 09/630,340

Filed 07/31/2000

WHEREAS, Robert Shartle, residing at 2044 Mitchell Drive, Arnold, CA 95223 (hereinafter called "Assignor"), has made certain new and useful inventions or discoveries relating to

"METHOD AND APPARATUS FOR DETECTING THE PRESENCE OF A FLUID ON A TEST STRIP"

for which he has executed an application for Letters Patent of the United States; and

WHEREAS, LifeScan, Inc., a corporation of the State of California, (hereinafter called "Assignee"), is desirous of acquiring the entire right, title, and interest therein;

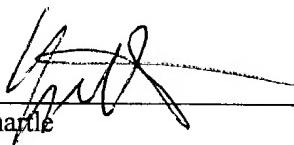
NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to him moving, the receipt of which is hereby acknowledged, Assignor has sold, assigned, and transferred, and does hereby sell, assign, and transfer unto said Assignee the entire right, title, and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made;

And Assignor hereby authorizes and requests the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignor covenants and agrees with said Assignee that he has a full and unencumbered title to the inventions and discoveries above described and hereby assigned, which title he warrants unto said Assignee, its successors and assigns;

And for the consideration aforesaid, Assignor further covenants and agrees that he will, whenever requested, but without cost to him promptly communicate to said Assignee or its representatives any facts known to him relating to said inventions and discoveries, testify in any interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this  
16 day of September, 2004.

  
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Robert Sharle